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9 UNITED STATES DISTRICT COURT
10 NORTHERN DISTRICT OF CALIFORNIA
11 OAKLAND DIVISION

12 UNITED STATES OF AMERICA,)

13 Plaintiff,)

14 v.)

15)
16 GILBERT POLINA,

17 Defendant.)
18

No. 4-06-70440-WDB

STIPULATION AND ORDER TO
RESCHEDULE ARRAIGNMENT
OR PRELIMINARY HEARING

19 The United States and the defendant, through their undersigned counsel, hereby
20 stipulate and agree to reschedule the arraignment or preliminary hearing in this case from
21 August 2, 2006, to September 7, 2006. The parties are working toward a resolution
22 of this case which will result in the filing of a misdemeanor charging document, and plea
23 before this Court. However, additional time is necessary for the logistics to be put in
24 place for that to occur. This continuance will enable the parties to work toward the
25 anticipated resolution of this case.

26 The defendant agrees to waive time for arraignment or preliminary hearing until
27 the new hearing date of September 7, 2006, and both parties agree to exclude time in the
28 interests of justice under the Speedy Trial Act for the period between August 2, 2006, to

September 7, 2006, pursuant to the provisions of 18 U.S.C. § 3161(h)(8)(A) and (B)(iv).

Respectfully submitted,

Dated: 8/1/06


CAMELIA BRAY, ESQ.
Attorney for Gilbert Polina

KEVIN V. RYAN
United States Attorney

Dated: 8/1/06

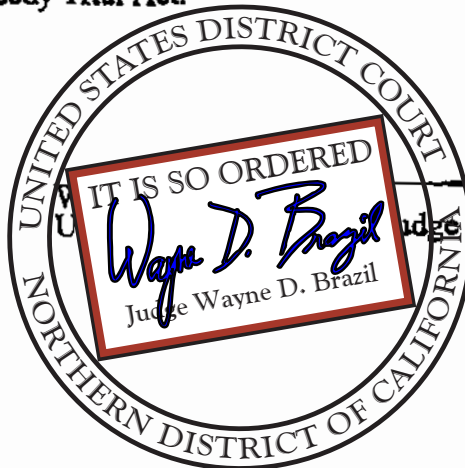

GEORGE L. BEVAN JR.
United States Attorney

ORDER RESCHEDULING ARRAIGNMENT or PRELIMINARY HEARING

Upon the foregoing stipulation of the parties, and good cause therefor, IT IS
HEREBY ORDERED that the arraignment or preliminary hearing in this case is
rescheduled from August 2, 2006, to September 7, 2006, at 10:00 a.m., before
Magistrate Judge Wayne D. Brazil in Oakland.

The Court finds that time will be excluded for that period, in the interests of
justice, for purposes of the Speedy Trial Act.

Dated: August 1, 2006



JOINT APPLICATION TO
RESCHEDULE SENTENCING DATE